

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

PORTLAND PILOTS, INC.

v.

M/V NOVA STAR  
her engines, tackle, equipment,  
appurtenances, etc.,  
*in rem*

Defendant

2:15-CV-00442-DBH

City of Portland

&

Portland Development Corp.  
Intervening Plaintiffs

v.

M/V Nova Star  
her engines, tackle, equipment,  
appurtenances, etc.,  
Defendant *in rem*

&

Nova Star Cruises Limited  
Defendant *in personam*

ORDER DISMISSING CITY OF PORTLAND

Before the Court is the City of Portland's and the Owner's Joint Motion to Dismiss. For good grounds shown the motion is GRANTED, and the Court hereby orders the City of Portland's dismissal from this action as follows:

1. The City of Portland's *in rem* claim is dismissed with prejudice and without costs taxed against the City.

3. The City of Portland's *in personam* claims against Nova Star Cruises Limited are dismissed without prejudice and without costs. F.R.Civ.P. 41(a)(2). As an adequate and independent ground reaching the same result, the City's notice of dismissal in its motion, ¶ 6, fully terminates the City's *in personam* claims, without prejudice and without costs. F.R.Civ.P. 41(a)(1)(A)(i).

4. With its previous *in rem* and *in personam* claims now dismissed, the City of Portland is fully dismissed from this action, without costs, and specifically without costs of arrest of the vessel.

5. This dismissal has no effect on the Portland Development Corporation, another intervenor in this action, which claims are not affected by the City of Portland's dismissal.

Dated: December 24, 2015

SO ORDERED:

/s/ D. Brock Hornby  
D. Brock Hornby  
United States District Judge